



## Senate

General Assembly

**File No. 192**

*January Session, 2003*

Substitute Senate Bill No. 967

*Senate, April 7, 2003*

The Committee on Program Review and Investigations reported through SEN. CRISCO of the 17th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE  
LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS  
COMMITTEE RELATIVE TO THE ADMINISTRATION OF THE BOARD  
OF EDUCATION AND SERVICES FOR THE BLIND.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-294 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 The Governor shall appoint an executive director of the board in  
4 accordance with the provisions of section [4-9a.] 4-7. The executive  
5 director shall be a person who has (1) background, training or  
6 education related to services for the blind, and (2) experience in  
7 program administration, oversight and leadership. The compensation  
8 of said director shall be determined in the manner provided in section  
9 4-40. No member of the board shall receive compensation for services  
10 rendered unless such services are special and specially requested by  
11 the board, in which case a moderate allowance may be made for the

12 time actually spent. The certificate of the director of the amount of any  
 13 bill for such services and expenses shall be sufficient warrant to the  
 14 Comptroller for the payment of the same.

15 Sec. 2. Section 4-5 of the general statutes is repealed and the  
 16 following is substituted in lieu thereof (*Effective from passage*):

17 As used in sections 4-6, 4-7 and 4-8, the term "department head"  
 18 means Secretary of the Office of Policy and Management,  
 19 Commissioner of Administrative Services, Commissioner of Revenue  
 20 Services, Commissioner of Banking, Commissioner of Children and  
 21 Families, Commissioner of Consumer Protection, Commissioner of  
 22 Correction, Commissioner of Economic and Community Development,  
 23 State Board of Education, Commissioner of Environmental Protection,  
 24 Commissioner of Agriculture, Commissioner of Public Health,  
 25 Insurance Commissioner, Labor Commissioner, Liquor Control  
 26 Commission, Commissioner of Mental Health and Addiction Services,  
 27 Commissioner of Public Safety, Commissioner of Social Services,  
 28 Commissioner of Mental Retardation, Commissioner of Motor  
 29 Vehicles, Commissioner of Transportation, Commissioner of Public  
 30 Works, Commissioner of Veterans' Affairs, Commissioner of Health  
 31 Care Access, Chief Information Officer, [and] the chairperson of the  
 32 Public Utilities Control Authority and the executive director of the  
 33 Board of Education and Services for the Blind.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>

**PRI**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note****State Impact:**

Agency Affected	Effect
Board of Education and Services for the Blind	None

**Municipal Impact:** None

**Explanation**

The bill places certain requirements on the qualifications of the Executive Director of the Board of Education and Services for the Blind in addition to requiring legislative approval of the appointment to that position. These provisions will not result in a cost to the state.

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**OLR Bill Analysis**

sSB 967

***AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE  
LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS  
COMMITTEE RELATIVE TO THE ADMINISTRATION OF THE  
BOARD OF EDUCATION AND SERVICES FOR THE BLIND*****SUMMARY:**

This bill requires the appointment of the executive director of the Board of Education and Services for the Blind (BESB) to get legislative approval, via the Executive and Legislative Nominations Committee. Specifically, it deems the position that of a “department head,” thus rendering it subject to the legislative approval process and certain administrative duties. By law, the governor appoints the executive director. Although the law does not specify such, it appears that in practice, the executive director has served at the governor’s pleasure for a term coterminous with the governor’s.

In addition, the bill requires the executive director to have (1) background, training, or education related to services for the blind and (2) program administration, oversight, and leadership experience.

EFFECTIVE DATE: Upon passage

**BACKGROUND*****Legislative Approval of Executive Nominations***

By law, every four years the governor must submit each nomination for a department head to either legislative chamber, which must refer it to the Executive and Legislative Nominations Committee. That committee must report to the referring chamber, by resolution, on the nomination within 15 calendar days. The chamber must confirm or reject the nomination, by resolution, within 10 calendar days of the committee’s report.

When a vacancy occurs and the legislature is in session, the process is generally the same but the time frames are different. If the legislature

is not in session, the governor can fill the vacancy until the sixth Wednesday of the next session. But he must still submit the name of the appointee to either chamber for its approval.

The law also includes procedures for when the legislature rejects a nomination.

### ***Duties of Department or Agency Heads***

Each department head is required by law to be qualified by training and experience for the duties of his office. He must conduct comprehensive planning with respect to the functions of his department and coordinate the activities and programs of the state agencies therein. The law also requires each department head to designate one deputy who, in his absence, death, or disqualification would assume his powers and duties.

### ***Related Bill***

SB 822 (File 30) requires the BESB board, instead of the governor, to appoint the board's executive director. The Senate referred the bill to the Government Administration and Elections Committee on March 26.

## **COMMITTEE ACTION**

Program Review and Investigations Committee

Joint Favorable Substitute

Yea 11      Nay 0